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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/785,643	02/23/2004	Yong Hai Park	01629/0200801-US0	3740
7278	7590	10/04/2005	EXAMINER	
DARBY & DARBY P.C.			WALK, SAMUEL J	
P. O. BOX 5257			ART UNIT	
NEW YORK, NY 10150-5257			PAPER NUMBER	
			2632	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/785,643	PARK, YONG HAI	
	Examiner	Art Unit	
	Samuel J. Walk	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2 and 5 are rejected under 35 U.S.C. 102(b) as being anticipated by Dourbal (US 5717656).

In reference to Claim 1, Dourbal discloses a method and apparatus for detecting and locating a concealed listening device wherein claimed wave receiver is met by microphone 32, see Col.4 lns 21-22; claimed image alarm outputting section is met by indicator 30, see Col. 4 lns 33-36; claimed data processing and control section met by controller 26, see Col. 4 ln 20; claimed wave amplifier met by internal bug amplifier (not shown), see Col. 4 lns 49-50; claimed comparing/judgment section met by controller 26, see Col. 4 lns 65-67.

In reference to Claim 2, Dourbal further discloses the concealed bug 10 listens for an acoustic signal 11a via an associated bug microphone 12 from some noise source (e.g., a human voice, noise, etc.), see Col. 4 lns 4-6.

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In reference to Claim 5, see above rejection in reference to Claim 1.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dourbal in view of Whidden (US 4368539).

In reference to Claim 3, Dourbal discloses a concealed bug locator. Dourbal does not disclose storing corresponding intrinsic wave/frequency values of the eavesdropping device. However, Whidden teaches of a transmitter detector wherein frequencies are stored so that preselected frequencies are scanned, see Col. 6 lns 32-36. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to incorporate the teachings of Whidden into the system of Dourbal because storing known bug frequencies would quicken the scanning mode.

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5. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dourbal.

In reference to Claim 4, Dourbal discloses that indicator 30 is a computer monitor or display. Dourbal does not disclose an LCD section. However, Examiner takes Official Notice that both the concept and the advantages are well known and expected in the art. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to utilize an LCD section because LCD screens are readily available, functionally equivalent and provide lower power consumption.

Conclusion

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Barsumian (US 5241699) discloses an electronic surveillance device detector and method using phase angle difference between two received signals. Jones (US 6397154) discloses a correlation method for surveillance device detection.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Samuel J.

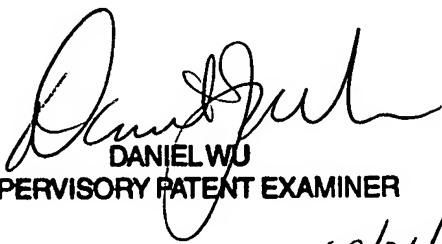
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Walk whose telephone number is (571) 272-2960. The examiner can normally be reached on M-F: 8:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SJW


DANIEL WU
SUPERVISORY PATENT EXAMINER
10/01/05